

TARSHIS, CATANIA, LIBERTH, MAHON & MILLIGRAM, PLLC

ATTORNEYS AND COUNSELLORS AT LAW

STEVEN L. TARSHIS, L.L.M. Taxation
JOSEPH A. CATANIA, JR.
RICHARD F. LIBERTH
RICHARD M. MAHON, II
STEVEN I. MILLIGRAM

BANKRUPTCY COUNSEL
LAWRENCE M. KLEIN

ONE CORWIN COURT
POST OFFICE BOX 1479
NEWBURGH, NEW YORK 12550
(845) 565-1100
1-800-344-5655

FAX (845) 565-1999
(FAX SERVICE NOT ACCEPTED)

E-MAIL tclmm@tclmm.com
www.tclmm.com

RALPH L. PUGLIELLE, JR.
JOHN D. MINEHAN
HOBART J. SIMPSON
RHETT D. WEIRES
MARK L. SCHUH
PAUL S. ERNENWEIN
NICHOLAS A. PASCALE
JULIA GOINGS-PERROT
DANIEL F. SULLIVAN
PATRICIA S. PEREZ
JASON D. MINARD
LYNN A. PISCOPO

WRITER'S DIRECT NO.
(845) 569-4303

WRITER'S E-MAIL
smilligram@tclmm.com

****VIA ECF & REGULAR MAIL****

December 17, 2007

Honorable Stephen C. Robinson
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: 96 Broadway, LLC v. City of Newburgh
Our File No. 00951-56159
Case No. 07cv 6689 (SCR)

Dear Judge Robinson:

This office represents defendant City of Newburgh with respect to the above matter. This letter is written in response and to clarify a Notice of Motion dated December 9th, 2007 by Douglas R. Dollinger and 96 Broadway, LLC, plaintiffs in the above matter.

It appears that Mr. Dollinger is merely seeking additional time to file his opposition to a motion to dismiss made by defendant Gabor.

The City of Newburgh takes no position on Mr. Dollinger's application in that regard, but wishes to make clear that this motion is not directed to the City's motion to dismiss (ECF Docket No. 4) filed on October 19, 2007 to which Mr. Dollinger has already filed his opposition. The City's reply brief, if any, must be filed on or before December 19, 2007 under the existing briefing schedule approved by the Court with respect to that motion.

If it pleases the Court to conference this matter, or should the Court have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

/s/Steven I. Milligram

SIM/lmf/424629
cc: Douglas R. Dollinger, Esq.
Stephen Bergstein, Esq.
Monte J. Rosenstein, Esq.

STEVEN I. MILLIGRAM